## DECLARATION AND POWER OF ATTORNEY

We, Whonehoe Lee and Yongjun Joff Hu, declare that: (1) our respective citizenships and mailing addresses are indicated below; (2) we have reviewed and understand the contents of the specification identified below, including the claims, as amended by any amendment specifically referred to herein, (3) we believe that we are the original, first, and joint inventors of the subject matter in

METHOD OF COMPOSITION FOR SELECTIVELY ETCHING AGAINST COBALT SILICIDE Serial No.: Unassigned Filed: Herwith

described and claimed therein and for which a patent is sought; and (4) we hereby acknowledge our duty to disclose to the Patent and Trademark Office all information known to us to be material to the patentability as defined in Title 37, Code of Foderal Regulations, §1.56.\*

We hereby appoint Ann M. Mueting (Rog. No. 33,977), Kevin W. Raasch (Rog. No. 35,651), Mark J. Gobbardt (Reg. No. 35,518), Karl G. Schwappsch (Reg. No. 35,786), Myra H. McCormack (Reg. No. 36,602), and Amelia A. Buharin (Reg. No. 38,835) our attorneys with full powers (including the powers of appointment, substitution, and revocation) to prosecute this application and any division, continuation, continuation-in-part, reexamination, or reissue thereof, and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all correspondence in this case to:

Attention: Mark J. Gebhardt Muoting, Rassch, Gebhardt & Schwappach, P.A. P.O. Box 581415 Minneepolis, MN 55458-1415 Telephone No. (612) 305-1216

The undersigned declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may Jeopardize the validity of the application or any patent issuing thereon.

Wherefore, we pray that Letters Patent be granted to us for the invention described and claimed in the specification identified above and we hereby subscribe our names to the foregoing specification and claims, Declaration and Power of Attorney, on the date indicated below.

Name

Whonchoc Lee

Cltizenship:

TAIWAN

Address:

493 South Browning Avenue, Boise, Idaho 83709

Name

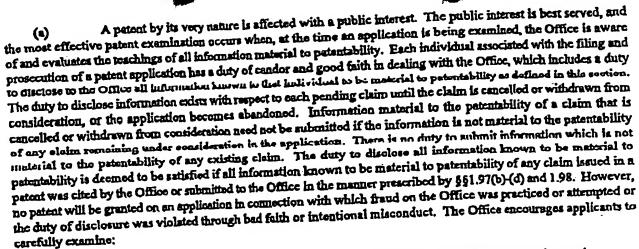
Saghan Jeff Hu

Citizenship:

Address:

eoples Republic of China 2571 South Culpoper Avenue, Boise, Idaho 83709

§ 1.56 Duty to disclose information material to patentability.



- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
    - (2) It refutes, or is inconsistent with, a position the applicant takes in:
      - (i) Opposing an argument of unpatontability relied on by the Office, or
      - (ii) Asserting an argument of patentability.

A prima facle case of unpatentability is established when the information compols a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and hofom any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosocutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
  - (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.